

ORIGINAL

O. F. ZURN COMPANY

ZURNOIL - LUBRICANTS FOR EVERY INDUSTRY

2738 N. BROAD STREET
PHILADELPHIA, PA 19132
(215) 229-5268



February 15, 1991

Karen M. Wolper, Chief
Enforcement and Title III Section (3HW33)
U.S. Environmental Protection Agency
841 Chestnut Building
Phila., PA 19107

RE: Metro Container Site

Dear Ms. Wolper:

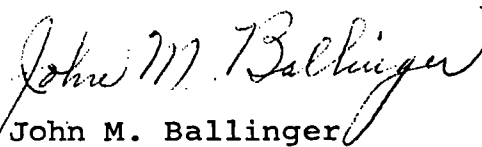
In response to the inquiry of January 17, 1991 which we received on February 2, 1991, please be advised that the O. F. Zurn Company did not transport any materials of a hazardous nature to the Metro Container Co. Site.

Our only dealings with them consisted in the purchase of reconditioned 55 gallon drums. Copies of documents, etc. relating to the transactions with the aforementioned Company are included in my letter of May 2, 1988, sent to a Mr. Lawrence Falkin.

If I can be of any further assistance, please contact me immediately. Thank you.

Respectfully,

O. F. ZURN COMPANY


John M. Ballinger
President

JMB:bms



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Region III

841 Chestnut Building

Philadelphia, Pennsylvania 19107

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

O.F. Zurn Company
John Ballinger, President
2736 North Broad Street
Philadelphia, PA 19132

JAN 17 1991

**Re: The Metro Container Site
Trainer, Pennsylvania**

Dear Mr. Ballinger:

The U.S. Environmental Protection Agency (EPA) is seeking information concerning a release, or the threat of release, of hazardous substances, pollutants or contaminants into the environment at the above referenced site. Pursuant to the authority of Section 3007(a) of the Resource Conservation and Recovery Act, as amended ("RCRA"), 42 U.S.C. Section 6927(a), and Section 104(e) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. Section 9604(e), your company is required to furnish all information and documents in its possession, custody or control, or in the possession, custody or control of any of its employees or agents which concern, refer, or relate to hazardous substances as defined by Section 101(14) of CERCLA, 42 U.S.C. Section 9601(14), pollutants, contaminants, and/or hazardous wastes as defined by Section 1004(5) of RCRA, 42 U.S.C. Section 6903(5), which were transported to, stored, treated, or disposed of at the above referenced facility located at 2nd and Price Streets in Trainer, Delaware County, Pennsylvania.

The provisions in Section 104 of CERCLA, 42 U.S.C. Section 9604 and Section 3008 of RCRA, 42 U.S.C. Section 6928, authorize EPA to pursue penalties for failure to comply with these sections or for failure to respond adequately to required submissions of information. In addition, providing false, fictitious, or fraudulent statements or representations may subject you to criminal penalties under the Criminal Fines Enforcement Act, 18 U.S.C. Section 1001. The information you provide may be used by EPA in administrative, civil, or criminal proceedings.

Instructions for responding to this required submission of information are provided below. Please respond for all materials which are potentially hazardous as well as the hazardous substances, pollutants and contaminants previously specified in this letter.

As used herein, the term "documents" means: writings (handwritten, typed or otherwise produced or reproduced) and includes, but is not limited to, any invoices, checks, receipts, bills of lading, weight receipts, toll receipts, correspondence, offers, contracts, agreements, deeds, leases, manifests, licenses, permits, bids, proposals, policies of insurance, logs, books of original entry, minutes of meetings, memoranda, notes, calendar or daily entries, agendas, bulletins, notices, announcements, charts, maps, photographs, drawings, manuals, brochures, reports of scientific study or investigation, schedules, price lists, telegrams, teletypes, phono-records, magnetic voice or video records, tapes, summaries, magnetic tapes, punch cards, recordings, discs, computer printouts, or other data compilations from which information can be obtained or translated.

The response should include, but not be limited to, information and documentation concerning:

1. Identify all types of hazardous materials transported to, stored, treated, generated or disposed of at the Metro Container Site between the years 1985 through 1987. Include:
 - a) every date between 1985-1987 on which the above took place;
 - b) quantities of each type of material;
 - c) the physical state (i.e. liquid, solid or gaseous) of the materials transported to the Site;
 - d) methods by which the materials were contained or disposed of (i.e. drummed or uncontained, placed in lagoons, landfilled, placed in piles, etc.).
2. Describe any permits or applications and any correspondence between your company and any regulatory agencies regarding the materials transported, stored, treated, generated or disposed of at the Site; provide copies of the same.
3. Provide copies of any correspondence between your company and any third party regarding materials transported to the Site.
4. Provide the identity of, and copies of, any documents relating to any person or company who transported, generated, treated, stored or disposed or who arranged for the treatment, storage, disposal or transportation of such materials to or at the Site.

You are entitled to assert a claim of business confidentiality covering any part or all of the submitted information, in the manner described in 40 C.F.R. Section 2.203(b). Information subject to a claim of business confidentiality will be made available to the public only in accordance with the procedures set forth in 40 C.F.R. Part 2, Subpart B. If a claim of business confidentiality is not asserted when the information is submitted to EPA, EPA may make this information available to the public without further notice to you.

Please respond in writing to this required submission of information within 30 calendar days of your receipt of this letter.

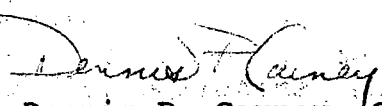
All documents and information should be sent to:

Karen M. Wolper, Chief
Enforcement and Title III Section (3HW33)
U.S. Environmental Protection Agency
841 Chestnut Building
Philadelphia, Pennsylvania 19107

If you have any question concerning this matter, please contact Ms. Wolper at (215) 597-8751.

This required submission of information is not subject to the approval requirements of the Paperwork Reduction Act of 1980, 44 U.S.C. Section 3501, et seq.

Sincerely,


Dennis P. Carney, Chief
Superfund Removal Branch

Enclosure

Information Requirement Enclosure

Authority to Require Submission Information

EPA is authorized to require submission of information under Section 104(e) of the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended, (CERCLA), 42 U.S.C. Section 9604(e), and Section 3007 of the Resource Conservation and Recovery Act as amended (RCRA), 42 U.S.C. Section 6927.

Penalties

Provisions have been established in Section 104 of CERCLA, 42 U.S.C. Section 9604, and Section 3008 of RCRA, 42 U.S.C. Section 6928, authorize EPA to pursue penalties for failure to comply or failure to respond to required submissions of information requests. Providing false, fictitious, or fraudulent statements or representations may subject you to criminal penalties under 18 U.S.C. Section 1001. In addition, the information you provide may be used by EPA in administrative, civil, or criminal proceedings.

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Definition(s)

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